

REMARKS

Upon entry of this paper, claims 34 and 90-116 will be pending and under consideration.

Claims 1, 2, 19, 21, 23, 29, 30, 32, 33 and 46 have been canceled herein without prejudice in view of a restriction requirement. Applicants reserve all rights to pursue the subject matter of the canceled claims in a related application.

New claims 90-116 have been added. Support for new claim 90 is found in the specification at page 11, lines 15-16; page 17, lines 25-30; and page 20, lines 15-23. Claims 91-94 are supported in the specification at page 20, lines 17-21; and page 25, lines 26-28. Claim 95 is supported in the specification at page 24, line 23. Claim 96 is supported in the specification at page 11, line 16; page 12, lines 3-4; and page 57, lines 7-8. Support for new claim 97 is found in the specification at page 5, lines 5-6; and page 12, lines 3-4. Support for new claim 98 is found in the specification at page 56, line 11. Support for new claim 100 is found in the specification at page 5, lines 5-6; page 12, lines 3-4; page 57, lines 7-8 and lines 18-20.

Support for new claim 101 is found in the specification at page 11, lines 14-22; and page 52, lines 15. Support for new claim 102 is found in the specification at page 11, lines 14-22; page 13, lines 29-30; page 38, line 19; page 39, line 19; and page 52, lines 16-17. Support for new claim 103 is found in the specification at page 11, lines 14-22; page 12, line 5; page 13, lines 29-30; and page 39, line 19. New claim 104 is supported in the specification at page 5, lines 22-31; page 11, lines 20-22; page 12, line 24 to page 13, line 2 and lines 25-27. Support for new claim 105 is found in the specification at page 14, line 1; and page 30, line 29 to page 31, line 5.

Support for new claim 106 is found in the specification at page 4, lines 24-26; page 5, lines 25-31; page 11, lines 18-20; page 56, lines 6-16; and page 57, lines 7-8 and lines 23-26. Support for new claim 107 is found in the specification at page 12, line 27 to page 13, line 2. New claim 108 is supported in the specification at page 53, lines 1-4; and page 57, lines 23-26. Support for new claim 109 is found in the specification at page 56, line 11; and page 57, lines 23-26. Support for new claim 111 is found in the specification at page 5, lines 22-25; and page 11, lines 17-20.

Support for new claim 112 is found in the specification at page 5, lines 22-25. Support for new claim 113 is found in the specification at page 11, line 15; Support for new claims 114-116 is found in specification at page 5, lines 25-31; page 12, lines 2-7; page 12, line 27 to page 13, line 2; page 13, lines 27-31; page 16, lines 28-29 and page 55, line 29.

Support for new claims 99 and 110 is found in the specification at page 4, lines 24-26; page 5, lines 5-6 and lines 25-31; page 11, lines 18-20; page 12, lines 3-4; page 56, lines 6-16;

and page 57, lines 7-8 and lines 23-26. It is clear that the specification need not provide written description support in exactly the same words as are used in the claims. It is enough that the description conveys to one skilled in the art that the applicant had possession of the invention. For example, see *In re Wilder*, 736 F.2d 1516, 1520, 222 U.S.P.Q. 369, 372 (Fed. Cir. 1984):

It is not necessary that the claimed subject matter be described identically, but the disclosure originally filed must convey to those skilled in the art that applicant has invented the subject matter later claimed.


See also *Application of Lukach*, 442 F.2d 967, 969, 169 U.S.P.Q. 795, 796 (C.C.P.A. 1971): "[T]he invention claimed does not have to be described in *ipsis verbis* in order to satisfy the description requirement of § 112." The specification at page 4, lines 24-26; page 5, lines 5-6 and lines 25-31; page 11, lines 18-20; page 12, lines 3-4; page 56, lines 6-16; and page 57, lines 7-8 and lines 23-26 clearly conveys to one skilled in the art that the Applicant had possession of a monoclonal antibody to Notch that is a neutralizing antibody (claim 99) and had possession of an antibody to a toporythmic protein that is a neutralizing antibody (claim 110).

The above-made amendments do not constitute new matter under 35 U.S.C. § 132.

Applicants respectfully request that the above-made amendments be made of record in the file history of the present application. The Examiner is requested to call the undersigned at (212) 326-3939 with any questions.

Respectfully submitted,

Date: November 3, 2006


Adriane M. Antler 32,605
JONES DAY (Reg. No.)
222 East 41st Street
New York, New York 10017
(212) 326-3939

Enclosures